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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CHEN, CHONGSHAN

ART UNIT	PAPER NUMBER
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2172

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DATE MAILED: 04/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/788,388

Applicant(s)

OKADA ET AL.

Examiner

Chongshan Chen

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-79 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-79 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4-39 and 41-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katariya et al. ["Katariya", 6,473,753 B1] in view of Gruen et al. ["Gruen", 6,393,460 B1].

As per claim 1, Katariya discloses a message transmitting and receiving apparatus comprising:

memory means for storing a keyword and a degree of importance of said keyword (Katariya, Fig. 1, 111, Memory, Fig. 2, 206, store weight in Term Document Weight Matrix);

detector means for detecting an occurrence of a document; extractor means for extracting a keyword from a received document; and importance determiner means for determining a degree of importance of a keyword (Katariya, col. 3, lines 3-9, "an embodiment of the present invention provides a weighting system for calculating the weight for a term within one document").

Katariya discloses determining degree of importance of a keyword from document, but does not explicitly disclose determining degree of importance of a keyword from a message. Gruen discloses extract important keywords from a message (Gruen, col. 6, lines 45-49, "The process of labeling chat clustering is restricted to picking semantically meaningful and important words and phrases in each cluster ..."). Therefore, it would have been obvious to one of

Art Unit: 2172

ordinary skill in the art at the time the invention was made to combine Gruen with Katariya in order to determine degree of importance of a keyword from a message and determine the topic of the message.

As per claim 2, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose providing at least one of visual and audio indications of an occurrence of said extracted keyword in a manner determined by a degree of importance of said extracted keyword (Katariya, Fig. 1).

As per claim 4, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose stores a new keyword extracted from a received message in said memory means together with a degree of importance of said new keyword (Katariya, Fig. 1 & 2).

As per claim 5, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose extracting a candidate keyword from a received message, and said apparatus further comprises register means for storing in said memory means, a candidate keyword as a keyword, together with a degree of importance of the candidate keyword, when a user of the apparatus responds to received message data containing the candidate keyword within a predetermined range (Katariya, Fig. 1 & 2, col. 3, lines 3-26).

As per claim 6, Katariya and Gruen teach all the claimed subject matters as discussed in claim 5, and further disclose said predetermined range is a predetermined number of words (Katariya, Fig. 1 & 2, col. 3, lines 3-26).

As per claim 7, Katariya and Gruen teach all the claimed subject matters as discussed in claim 5, and further disclose the weight system may use various different algorithms (Katariya,

Art Unit: 2172

col. 3, lines 20-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to set the predetermined range as number of lines.

As per claim 8, Katariya and Gruen teach all the claimed subject matters as discussed in claim 5, and further disclose the weight system may use various different algorithms (Katariya, col. 3, lines 20-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to set the predetermined range as number of words.

As per claim 9, Katariya and Gruen teach all the claimed subject matters as discussed in claim 5, and further disclose the weight system may use various different algorithms (Katariya, col. 3, lines 20-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to set the predetermined range as number of characters.

As per claim 10, Katariya and Gruen teach all the claimed subject matters as discussed in claim 5, and further disclose the weight system may use various different algorithms (Katariya, col. 3, lines 20-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to set the predetermined range as a time period.

As per claim 11, Katariya and Gruen teach all the claimed subject matters as discussed in claim 5, and further disclose the weight system may use various different algorithms (Katariya, col. 3, lines 20-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to set the predetermined range as messages received consecutively from a same client.

As per claim 12, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose determining a degree of importance of a keyword stored in said

Art Unit: 2172

memory means, depending on whether or not a user of the apparatus has responded to a received message containing said keyword (Katariya, Fig. 1-2, col. 3, lines 3-26, Gruen, Fig. 1).

As per claim 13, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose the weight system may use various different algorithms (Katariya, col. 3, lines 20-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to determine a degree of importance of a keyword stored in said memory means, depending on whether or not a user of the apparatus has responded to a received message containing said keyword within a predetermined range.

Claims 14-19 are rejected on grounds corresponding to the reasons given above for claims 6-11.

As per claim 20, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose changing a degree of importance of a keyword for a predetermined time period after an occurrence of a transmitted message from a user of the apparatus (Katariya, col. 2, lines 61-63).

As per claim 21, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose lowering a degree of importance of a keyword for a predetermined time period after an occurrence of a transmitted message from a user of the apparatus (Katariya, col. 3, lines 20-26).

As per claim 22, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose changing a degree of importance of a keyword during a time period when a user of the apparatus is operating an input device of the apparatus and during a

Art Unit: 2172

predetermined time period after the user stops operating the input device (Katariya, col. 3, lines 20-26).

As per claim 23, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose lowering a degree of importance of a keyword during a time period when a user of the apparatus is operating an input device of the apparatus and during a predetermined time period after the user stops operating the input device (Katariya, col. 3, lines 20-26).

As per claim 24, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose determining a degree of importance of a keyword according to schedule data of a user of the apparatus (Katariya, col. 3, lines 20-26).

As per claim 25, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose raising a degree of importance of a keyword according to schedule data of a user of the apparatus (Katariya, col. 3, lines 20-26).

As per claim 26, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose the weight system may use various different algorithms (Katariya, col. 3, lines 20-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to determine the degree of importance of said keyword effective during said time period.

As per claim 27, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose said importance determiner means determines a degree of importance of a keyword in accordance with the number of occurrences of the keyword in a predetermined range of received message data (Katariya, col. 3, lines 20-26).

Art Unit: 2172

Claims 28-33 are rejected on grounds corresponding to the reasons given above for claims 6-11.

As per claim 34, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose said importance determiner means lowers a degree of importance of a keyword when the number of occurrences of the keyword in received message data within a predetermined time period exceeds a predetermined number (Katariya, col. 3, lines 20-26).

As per claim 35, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, and further disclose said importance determiner means determines a degree of importance of a keyword in accordance with an attribute of a received message containing the keyword (Katariya, col. 3, lines 3-26, Gruen, Fig. 1).

As per claim 36, Katariya and Gruen teach all the claimed subject matters as discussed in claim 35, and further disclose the attribute of said received message is a network, a channel or a client (Katariya, Fig. 1).

As per claim 37, Katariya discloses a message transmitting and receiving apparatus comprising:

memory means for storing a keyword and a degree of importance of said keyword (Katariya, Fig. 1, 111, Memory, Fig. 2, 206, store weight in Term Document Weight Matrix);

detector means for detecting an occurrence of a document; extractor means for extracting a keyword from a received document; and means for providing at least one of visual and audio indications of an occurrence of said extracted keyword in a manner determined by a degree of importance of said extracted keyword (Katariya, Fig. 1, col. 3, lines 3-9, "an embodiment of the



Art Unit: 2172

present invention provides a weighting system for calculating the weight for a term within one document”).

Katariya discloses determining degree of importance of a keyword from document, but does not explicitly disclose determining degree of importance of a keyword from a message. Gruen discloses extract important keywords from a message (Gruen, col. 6, lines 45-49, “The process of labeling chat clustering is restricted to picking semantically meaningful and important words and phrases in each cluster ...”). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Gruen with Katariya in order to determine degree of importance of a keyword from a message and determine the topic of the message.

Claims 38-39 are rejected on grounds corresponding to the reasons given above for claims 1-2.

Claims 41-73 are rejected on grounds corresponding to the reasons given above for claims 4-36.

Claim 74 is rejected on grounds corresponding to the reasons given above for claim 37.

Claim 75 is rejected on grounds corresponding to the reasons given above for claim 1.

Claim 76 is rejected on grounds corresponding to the reasons given above for claim 13.

Claim 77 is rejected on grounds corresponding to the reasons given above for claim 26.

Claim 78 is rejected on grounds corresponding to the reasons given above for claim 35.

Claim 79 is rejected on grounds corresponding to the reasons given above for claim 37.

Art Unit: 2172

3. Claims 3 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katariya et al. ["Katariya", 6,473,753 B1] in view of Gruen et al. ["Gruen", 6,393,460 B1] and further in view of Batchelder et al. ["Batchelder", 5,691,708].

As per claim 3, Katariya and Gruen teach all the claimed subject matters as discussed in claim 1, except for explicitly disclosing deleting a keyword having a degree of importance lower than a threshold value. Batchelder discloses deleting a keyword having a degree of importance lower than a threshold value (Batchelder, col. 11, lines 20-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Batchelder with Katariya and Gruen in order to delete un-important words.

Claim 40 is rejected on grounds corresponding to the reasons given above for claim 3.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is (703) 305-8319. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703)305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.


Application/Control Number: 09/788,388

Page 10

Art Unit: 2172

CC

April 18, 2003

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER